

Since my last letter dated August 4, 2009, the Congress has cleared and the President has signed an act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, and for other purposes (Public Law 111-68). This act affects budget authority and outlays for fiscal year 2009.

Sincerely,

ROBERT A. SUNSHINE,  
For Douglas W. Elmendorf, Director.

TABLE 1—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2009, AS OF SEPTEMBER 30, 2009

[In billions of dollars]

	Budget Resolution <sup>1</sup>	Current Level <sup>2</sup>	Current Level Over/Under (–) Resolution
<b>ON-BUDGET</b>			
Budget Authority .....	3,668.6	3,671.6	3.0
Outlays .....	3,357.2	3,365.0	7.8
Revenues .....	1,532.6	1,532.6	0.0
<b>OFF-BUDGET</b>			
Social Security Outlays <sup>3</sup> .....	513.0	513.0	0.0
Social Security Revenues .....	653.1	653.1	0.0

<sup>1</sup> S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010, includes \$7.2 billion in budget authority and \$1.8 billion in outlays as a disaster allowance to recognize the potential cost of disasters; those funds will never be allocated to a committee. At the direction of the Senate Committee on the Budget, the budget resolution totals have been revised to exclude those amounts for purposes of enforcing current level.

<sup>2</sup> Current level is the estimated effect on revenues and spending of all legislation, excluding amounts designated as emergency requirements (see footnote 2 of table 2), that the Congress has enacted or sent to the President for his approval. In addition, full-year funding estimates under current law are included for entitlement and mandatory programs requiring annual appropriations, even if the appropriations have not been made.

<sup>3</sup> Excludes administrative expenses of the Social Security Administration, which are off-budget, but are appropriated annually.  
SOURCE: Congressional Budget Office.

TABLE 2—SUPPORTING DETAIL FOR THE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2009, AS OF SEPTEMBER 30, 2009

[In millions of dollars]

	Budget Authority	Outlays	Revenues
<b>Previously Enacted <sup>1</sup></b>			
Revenues .....	n.a.	n.a.	1,532,571
Permanents and other spending legislation .....	2,186,897	2,119,086	n.a.
Appropriation legislation .....	2,031,683	1,851,797	n.a.
Offsetting receipts .....	–640,548	–640,548	n.a.
<b>Total, Previously enacted .....</b>	<b>3,578,032</b>	<b>3,330,335</b>	<b>1,532,571</b>
<b>Enacted this session:</b>			
Helping Families Save Their Homes Act of 2009 (P.L. 111–22) <sup>2</sup> .....	106	3,896	0
An act to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products...and for other purposes (P.L. 111–31) .....	11	2	8
Supplemental Appropriations Act, 2009 (P.L. 111–32) <sup>2</sup> .....	89,682	26,992	0
An act to make technical corrections to the Higher Education Act of 1965, and for other purposes (P.L. 111–39) .....	–187	–202	0
An act to authorize the Director of the United States Patent and Trademark Office to use funds...and for other purposes (P.L. 111–45) .....	0	5	0
An act to restore sums to the Highway Trust Fund, and for other purposes (P.L. 111–46) <sup>3</sup> .....	–40	–40	0
An act making appropriations for the Legislative Branch for the fiscal year ending September 30, 2010, and for other purposes (P.L. 111–68) <sup>4</sup> .....	4,000	4,000	0
<b>Total, enacted this session .....</b>	<b>93,572</b>	<b>34,653</b>	<b>8</b>
<b>Total Current Level <sup>2,3,4,5</sup> .....</b>	<b>3,671,604</b>	<b>3,364,988</b>	<b>1,532,579</b>
<b>Total Budget Resolution <sup>6</sup> .....</b>	<b>3,675,736</b>	<b>3,358,952</b>	<b>1,532,579</b>
Adjustment to budget resolution for disaster allowance <sup>7</sup> .....	–7,150	–1,788	0
<b>Adjusted Budget Resolution .....</b>	<b>3,668,586</b>	<b>3,357,164</b>	<b>1,532,579</b>
<b>Current Level Over Budget Resolution .....</b>	<b>3,018</b>	<b>7,824</b>	<b>0</b>
<b>Current Level Under Budget Resolution .....</b>	<b>n.a.</b>	<b>n.a.</b>	<b>0</b>
SOURCE: Congressional Budget Office. Note: n.a. = not applicable; P.L. = Public Law.			
<sup>1</sup> Includes the Children's Health Insurance Program Reauthorization Act of 2009 (P.L. 111–3), the American Recovery and Reinvestment Act (ARRA) (P.L. 111–5), and the Omnibus Appropriations Act, 2009 (P.L. 111–8), which were enacted by the Congress during this session, before the adoption of S. Con. Res. 13, the Concurrent Resolution on the Budget for Fiscal Year 2010. Although the ARRA was designated as an emergency requirement, it is now included as part of the current level amounts.			
<sup>2</sup> Pursuant to section 403 of S. Con. Res. 13, provisions designated as emergency requirements (and rescissions of provisions previously designated as emergency requirements) are exempt from enforcement of the budget resolution. The amounts so designated for fiscal year 2009, which are not included in the current level totals, are as follows:			
Helping Families Save Their Homes Act of 2009 (P.L. 111–22) .....	–630	–630	0
Supplemental Appropriations Act, 2009 (P.L. 111–32) .....	16,169	3,530	0
<b>Total, amounts designated as emergency .....</b>	<b>15,539</b>	<b>2,900</b>	<b>0</b>
<sup>3</sup> Section 1 of P.L. 111–46 appropriated \$7 billion to the Highway Trust Fund. The enactment of this legislation followed an announcement by the Secretary of Transportation on June 24, 2009, of an interim policy to slow down payments to states from the Highway Trust Fund. The Congressional Budget Office estimates that P.L. 111–46 will reverse this policy and restore payments to states at levels already assumed in current level. Thus, enactment of section 1 results in no change to current level totals. Other provisions of the act will reduce budget authority and outlays by \$40 million in 2009.			
<sup>4</sup> Section 164 of Division B of P.L. 111–68 reduces the required transfer from the Postal Service Fund to the Postal Service Retiree Health Benefits Fund for fiscal year 2009 by \$4 billion. The transfer does not affect unified budget totals; however, since the Postal Service Fund is off-budget, and current level does not include off-budget amounts, only the on-budget piece of the transfer (an increase in spending of \$4 billion) is shown in current level totals.			
<sup>5</sup> For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the budget resolution does not include budget authority, outlays, or revenues for off-budget amounts. As a result, current level excludes these items.			
<sup>6</sup> Periodically, the Senate Committee on the Budget revises the totals in S. Con. Res. 13, pursuant to various provisions of the resolution:			
<b>Original Budget Resolution Totals .....</b>	<b>3,675,927</b>	<b>3,356,270</b>	<b>1,532,571</b>
<b>Revisions:</b>			
For the Supplemental Appropriations Act, 2009 (section 401(c)(4)) .....	–1,530	2,240	0
For an act to protect the public health by providing the Food and Drug Administration with certain authority to regulate tobacco products...and for other purposes (sections 311(a) and 307) .....	11	2	8
For further revisions to the Supplemental Appropriations Act, 2009 (section 401(c)(4)) .....	1,515	642	0
For an act to make technical corrections to the Higher Education Act of 1965, and for other purposes (section 303) .....	–187	–202	0
<b>Revised Budget Resolution Totals .....</b>	<b>3,675,736</b>	<b>3,358,952</b>	<b>1,532,579</b>

<sup>7</sup> S. Con. Res. 13 includes \$7,150 million in budget authority and \$1,788 million in outlays as a disaster allowance to recognize the potential cost of disasters; those funds will never be allocated to a committee. At the direction of the Senate Committee on the Budget, the budget resolution totals have been revised to exclude those amounts for purposes of enforcing current level.

## VOTE EXPLANATIONS

Mr. KERRY. Mr. President, I am necessarily absent for the vote today on the McCain amendment, Senate Amendment No. 2626 to the fiscal year 2010 Commerce, Justice, Science Appropriations bill (H.R. 2847). If I were able to attend today's session, I would have opposed the McCain amendment.

Mr. President, I was necessarily absent for the vote on the fiscal year 2010 Agriculture appropriations conference

report and the Ensign motion to recommit the Senate fiscal year 2010 Commerce, Justice, and Science appropriations bill, H.R. 2847. If I were able to attend today's session, I would have supported the fiscal year 2010 Agriculture conference report and opposed the Ensign motion to recommit H.R. 2847.

## REMEMBERING SENATOR EDWARD KENNEDY

Mr. BARRASSO. Mr. President, in this chamber we have witnessed incredibly moving eulogies and remembrances of our departed colleague Senator Edward Kennedy. Obituaries in national and international newspapers convey the historic milestones of his life that none could forget, as well as more personal stories of the man that fewer knew.